

BILL ANALYSIS

C.S.H.B. 1675
By: Bonnen, Dennis
Government Efficiency & Reform
Committee Report (Substituted)

BACKGROUND AND PURPOSE

State agencies undergo periodic review by the Sunset Advisory Commission (Commission). The Legislature frequently changes the review schedule for certain agencies to balance the workload of the Commission and to better align the reviews of agencies by grouping them based on subject matter. C.S.H.B. 1675 serves this purpose of better aligning and grouping agencies set for Sunset review in upcoming biennia. The bill also adds three entities to the Sunset review schedule.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Provides for Sunset reviews of three agencies in the upcoming Sunset cycle.

C.S.H.B. 1675 requires Sunset reviews of the University Interscholastic League, the Clear Lake Water Authority, and the Sulphur River Basin Authority for 2015, but does not subject them to abolishment, and requires each entity to pay the cost of its review.

Adds a Sunset date to one agency.

C.S.H.B. 1675 sets a 2021 Sunset date for the Texas Invasive Species Coordinating Committee to align with the review of the Texas Parks and Wildlife Department instead of the State Soil and Water Conservation Board.

Moves the Sunset reviews of five agencies to future dates.

C.S.H.B. 1675 changes the Sunset date for the Texas Department of Transportation from 2015 to 2017.

C.S.H.B. 1675 changes the Sunset date for the Texas State Board of Accountancy from 2015 to 2019.

C.S.H.B. 1675 changes the Sunset date for the Texas Council on Purchasing from People with Disabilities from 2015 to 2021 to align with the review of other agencies with procurement responsibilities.

C.S.H.B. 1675 also changes the Sunset dates for both the Workers Compensation Division of the Texas Department of Insurance and the Office of Injured Employee Counsel from 2017 to 2021.

Moves the Sunset review of a group of entities to a future date.

C.S.H.B. 1675 changes the Sunset date of the state's 20 Regional Education Service Centers from 2015 to 2019.

Removes the separate Sunset date of one agency.

C.S.H.B. 1675 removes the separate Sunset date for the Early Childhood Health and Nutrition Interagency Council and provides for the Council's review as a part of the periodic Sunset review of the Department of Agriculture, and makes conforming changes.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 1675 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

HOUSE COMMITTEE SUBSTITUTE

No equivalent provision.

ARTICLE 1. ENTITIES GIVEN 2015 SUNSET DATE

No equivalent provision.

SECTION 1.01. UNIVERSITY INTERSCHOLASTIC LEAGUE. Section 33.083, Education Code, is amended by adding Subsection (e) to read as follows:
(e) The University Interscholastic League is subject to review under Chapter 325, Government Code (Texas Sunset Act), but is not abolished under that chapter. The University Interscholastic League shall be reviewed during the period in which state agencies abolished in 2015 are reviewed. The University Interscholastic League shall pay the costs incurred by the Sunset Advisory Commission in performing the review under this subsection. The Sunset Advisory Commission shall determine the costs of the review performed under this subsection, and the University Interscholastic League shall pay the amount of those costs promptly on receipt of a statement from the Sunset Advisory Commission regarding those costs. This subsection expires September 1, 2015.

No equivalent provision.

SECTION 1.02. CLEAR LAKE CITY WATER AUTHORITY. Chapter 101, Acts of the 58th Legislature, Regular Session, 1963, is amended by adding Section 1A to read as follows:
Sec. 1A. (a) The Authority is subject to review under Chapter 325, Government Code (Texas Sunset Act), as if it were a state agency but may not be abolished under that chapter. The review shall be conducted as if the Authority were scheduled to be abolished September 1, 2015.
(b) The review must assess the Authority's governance, management, and operating structure and the Authority's compliance with

legislative requirements.

(c) The Authority shall pay the costs incurred by the Sunset Advisory Commission in performing a review of the Authority under this section. The Sunset Advisory Commission shall determine the costs, and the Authority shall pay the amount promptly on receipt of a statement from the Sunset Advisory Commission detailing the costs.

(d) This section expires September 1, 2015.

No equivalent provision.

SECTION 1.03. SULPHUR RIVER BASIN AUTHORITY. Chapter 3, Acts of the 69th Legislature, 1st Called Session, 1985, is amended by adding Section 1A to read as follows:

Sec. 1A. APPLICATION OF SUNSET ACT. (a) The authority is subject to review under Chapter 325, Government Code (Texas Sunset Act), as if it were a state agency but may not be abolished under that chapter. The review shall be conducted as if the authority were scheduled to be abolished September 1, 2015.

(b) The review must assess the authority's governance, management, and operating structure and the authority's compliance with legislative requirements.

(c) The authority shall pay the costs incurred by the Sunset Advisory Commission in performing a review of the authority under this section. The Sunset Advisory Commission shall determine the costs, and the authority shall pay the amount promptly on receipt of a statement from the Sunset Advisory Commission detailing the costs.

(d) This section expires September 1, 2015.

No equivalent provision.

ARTICLE 2. ENTITIES GIVEN 2017 SUNSET DATE

No equivalent provision.

SECTION 2.01. TEXAS DEPARTMENT OF TRANSPORTATION. Section 201.204, Transportation Code, is amended to read as follows:

Sec. 201.204. SUNSET PROVISION. The Texas Department of Transportation is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the department is abolished September 1, 2017 [~~2015~~].

No equivalent provision.

ARTICLE 3. ENTITIES GIVEN 2019 SUNSET DATE

No equivalent provision.

SECTION 3.01. REGIONAL EDUCATION SERVICE CENTERS. Section 8.010, Education Code, is amended to read as follows:

Sec. 8.010. SUNSET PROVISION. Regional education service centers are subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the centers are abolished and this chapter expires September 1, 2019 [~~2015~~].

No equivalent provision.

SECTION 3.02. TEXAS STATE BOARD OF PUBLIC ACCOUNTANCY. Section 901.006, Occupations Code, is amended to read as follows:

Sec. 901.006. APPLICATION OF SUNSET ACT. The Texas State Board of Public Accountancy is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the board is abolished and this chapter expires September 1, 2019 [~~2015~~].

ARTICLE 1. ENTITIES GIVEN 2021 SUNSET DATE

ARTICLE 4. Same as introduced version.

SECTION 1.01. TEXAS INVASIVE SPECIES COORDINATING COMMITTEE.

SECTION 4.01. Same as introduced version.

SECTION 1.02. TEXAS COUNCIL ON PURCHASING FROM PEOPLE WITH DISABILITIES.

SECTION 4.02. Same as introduced version.

No equivalent provision.

SECTION 4.03. DIVISION OF WORKERS' COMPENSATION OF TEXAS DEPARTMENT OF INSURANCE. Section 31.004(b), Insurance Code, is amended to read as follows:

(b) Unless continued as provided by Chapter 325, Government Code, the duties of the

division of workers' compensation of the Texas Department of Insurance under Title 5, Labor Code, expire September 1, 2021 [~~2017~~], or another date designated by the legislature.

No equivalent provision.

SECTION 4.04. OFFICE OF INJURED EMPLOYEE COUNSEL. Section 404.003, Labor Code, is amended to read as follows:
Sec. 404.003. SUNSET PROVISION. The office of injured employee counsel is subject to Chapter 325, Government Code (Texas Sunset Act). Unless continued in existence as provided by that chapter, the office is abolished and this chapter expires September 1, 2021 [~~2017~~].

ARTICLE 2. ENTITIES REMOVED FROM SPECIFIC SUNSET REVIEW

ARTICLE 5. Same as introduced version.

SECTION 2.01. EARLY CHILDHOOD HEALTH AND NUTRITION INTERAGENCY COUNCIL.

SECTION 5.01. Same as introduced version.

ARTICLE 3. EFFECTIVE DATE

ARTICLE 6. Same as introduced version.

SECTION 3.01. EFFECTIVE DATE. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2013.

SECTION 6.01. Same as introduced version.